

ATTACHMENT B

I, Natasha McSeed, a Deportation Officer of the U.S. Immigration and Customs Enforcement (“ICE”), having conducted an investigation and having spoken with other individuals, have knowledge of the following facts:

1. OAVI VERDUGO ARROAGA, a/k/a Norberto VASQUEZ-DIAZ, a/k/a Jesus Lozano MONTALVO, a/k/a Osvi VERDUGO ARRIAGA (hereinafter the “Defendant”) is a native and citizen of Mexico.
2. Upon information and belief, the Defendant first entered the United States on foot on an unknown date in 2008, near Nogales, Arizona. The Defendant was arrested in Wapakoneta, Ohio on October 20, 2009 for driving without a license and subsequently turned over to ICE custody.
3. On or about October 20, 2009, the Defendant was issued a Notice to Appear by an Immigration Officer in Cincinnati, Ohio. On October 26, 2009, the Defendant was ordered deported from the United States to Mexico by an Immigration Judge. On November 3, 2009, the Defendant was removed to Mexico.
4. On December 19, 2013, the Defendant was encountered by ICE officers at the Cleveland Municipal Court in Cleveland, Ohio subsequent to a DUI arrest and taken into custody. The Defendant illegally re-entered the United States near Laredo, Texas, without obtaining the express consent of the Attorney General or the Secretary of Homeland Security.
5. The Defendant was served with a Notice of Intent/Decision to Reinstate Prior Removal Order (Form I-871). On January 17, 2014, the Defendant was removed to Mexico.
6. On January 30, 2014, the Defendant illegally reentered the United States without obtaining the express consent of the Attorney General or the Secretary of Homeland Security and was encountered by the US Border Patrol at the Rio Grande Valley, Texas border. On January 31, 2014, the Defendant was removed to Mexico.
7. On February 20, 2014, the Defendant illegally reentered the United States without obtaining the express consent of the Attorney General or the Secretary of Homeland Security and was encountered by the US Border Patrol, at Victoria, Texas. On February 21, 2014, the Defendant was removed to Mexico.
8. On July 25, 2015, the Defendant was encountered by Immigration Officers at the Hidalgo County Jail in Edinburg, Texas subsequent to a Resisting Arrest charge. the Defendant illegally reentered the United States without obtaining the express consent of the Attorney General or the Secretary of Homeland Security. On July 26, 2015, the Defendant was removed to Mexico.
9. On August 23, 2015, the Defendant was encountered by the US Border Patrol at/near Lukeville, Arizona, without being admitted or paroled by an Immigration Officer. On August 24, 2015, the Defendant was again removed to Mexico.

10. On or about December 30, 2019, the Defendant was arrested in Bridgeton, New Jersey by the Bridgeton Police Department, in New Jersey, on charges of simple assault-domestic violence, stalking, and kidnapping under warrant number W-2019-002189-0601. ICE agents learned that the Defendant was detained in Cumberland County Jail, in New Jersey, and lodged a detainer.

11. On or about January 7, 2020, the Defendant was turned over to ICE custody on the ICE detainer. The Defendant, after he was read and waived his *Miranda* rights, stated that he was in the United States illegally from Mexico, was deported previously, and did not have permission to enter the United States.

12. The Defendant's identity was confirmed through fingerprint analysis. Specifically, a fingerprint examiner from the Federal Bureau of Investigation, Criminal Justice Information Services ("CJIS") Division, compared the fingerprints taken in conjunction with each of the removals listed in paragraphs 3, 5, 6,7,8, and 9 above, with the fingerprints taken from the Defendant on January 7, 2020, and determined that the fingerprints submitted were identical with each other and also were identical to those associated with the Defendant's prior arrest offenses described in paragraphs 2 and 4 above, as well as the simple assault-domestic violence, stalking, and kidnapping offenses described in paragraph 10.

13. Neither the Attorney General of the United States nor the Secretary of Homeland Security authorized at any time the Defendant's re-entry into the United States, following his August 24, 2015 removal.

ATTACHMENT A

On a date on or before about December 30, 2019, in Cumberland County, in the District of New Jersey and elsewhere, the defendant,

OAVI VERDUGO ARROAGA,
a/k/a Norberto VASQUEZ-DIAZ,
a/k/a Jesus Lozano MONTALVO,
a/k/a Osvi VERDUGO ARRIAGA,

an alien who had been deported and removed and had departed the United States while an order of deportation and removal was outstanding, without the express consent of the Secretary of Homeland Security or the Attorney General of the United States to reapply for admission prior to his re-embarkation at a place outside the United States, did knowingly and voluntarily enter, and on or about December 30, 2019, was found in the United States.

In violation of Title 8, United States Code, Section 1326(a).

CONTENTS APPROVED

UNITED STATES ATTORNEY

By: _____
ALISA SHVER
Assistant U.S. Attorney

Date: April 7, 2020_____